

By: Nichols

S.B. No. 1265

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the election of board members for emergency services
3 districts in certain counties.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 775.034(h), Health and Safety Code, is
6 amended to read as follows:

7 (h) This section does not apply to a district located wholly
8 in a county:

9 (1) with a population of more than three million; or

10 (2) that borders another state and the Gulf
11 Intracoastal Waterway.

12 SECTION 2. The heading to Section 775.0345, Health and
13 Safety Code, is amended to read as follows:

14 Sec. 775.0345. ELECTION OF BOARD IN CERTAIN [~~POPULOUS~~]
15 COUNTIES.

16 SECTION 3. Section 775.0345(a), Health and Safety Code, is
17 amended to read as follows:

18 (a) This section applies only to a district located wholly
19 in a county:

20 (1) with a population of more than three million; or

21 (2) that borders another state and the Gulf
22 Intracoastal Waterway.

23 SECTION 4. The heading to Section 775.0445, Health and
24 Safety Code, is amended to read as follows:

1 Sec. 775.0445. VACANCY ON BOARD OF DISTRICT LOCATED IN
2 CERTAIN [~~POPULOUS~~] COUNTIES.

3 SECTION 5. Section 775.0445(b), Health and Safety Code, is
4 amended to read as follows:

5 (b) This section applies only to a district located wholly
6 in a county:

- 7 (1) with a population of more than three million; or
8 (2) that borders another state and the Gulf
9 Intracoastal Waterway.

10 SECTION 6. (a) The changes in law made by this Act do not
11 affect the entitlement of a commissioner of a board of emergency
12 services commissioners serving on the board immediately before the
13 effective date of this Act to continue to carry out the board's
14 functions for the remainder of the commissioner's term.

15 (b) This Act does not prohibit a person who is a
16 commissioner on the effective date of this Act and who was appointed
17 under Section 775.034, Health and Safety Code, from running for
18 election to the board if the person has the qualifications required
19 for a member under Section 775.0345, Health and Safety Code, as
20 amended by this Act.

21 (c) A person serving as a member of a board of emergency
22 services commissioners on the effective date of this Act who was
23 appointed under Section 775.034, Health and Safety Code, shall
24 continue to serve until the election and qualification of a new
25 commissioner for that position.

26 (d) In 2014, the county judge of a county with an emergency
27 services district to which Section 775.0345(a)(2), Health and

1 Safety Code, as added by this Act, applies and to which Section
2 775.034, Health and Safety Code, previously applied, shall
3 establish an election as required by Section 775.0345 to replace a
4 commissioner appointed before the effective date of this Act as
5 near as practicable to the date of the expiration of the appointed
6 commissioner's term. A commissioner elected under this subsection
7 serves a two-year term but the successor serves a four-year term as
8 provided by Section 775.0345, Health and Safety Code.

9 (e) In 2015, the county judge shall repeat the procedures
10 described by Subsection (d) of this section for the remaining
11 appointed commissioners. A commissioner elected under this
12 subsection serves a three-year term but the successor serves a
13 four-year term as provided by Section 775.0345, Health and Safety
14 Code.

15 SECTION 7. This Act takes effect September 1, 2013.